

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1 and 3-19, 21 and 22 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Claim 3

In the outstanding Office Action, the Examiner indicates in the first paragraph of page 2 as well as in the Office Action Summary that claim 3 is canceled. This is incorrect. Claim 3 was amended in the previous Amendment and still remains in the file.

Finality of Rejection

Applicants submit that the finality of the rejection should be removed since claim 3 was not properly treated on the merits.

Entry of the Amendment

Should the Examiner not remove the finality of the rejection, Applicants submit that the present Amendment should be entered since it places the application in condition for allowance. Alternatively, the Amendment should be entered for the purpose of appeal. The only changes to the claims are the

rewriting of claim 1 to include the limitations of claim 2 which previously depended therefrom. Accordingly, no new issues are involved, the number of claims is reduced and the number of issues on appeal are reduced. Accordingly, entry of the Amendment is considered proper.

Rejection under 35 U.S.C. § 103

Claims 1, 2 and 4-9 stand rejected under 35 U.S.C. § 103 as being obvious over Nakashima et al. (U.S. Patent 6,141,123) in view of Shirochi (U.S. Patent 6,075,581) and Tedesco et al. (U.S. Patent 5,471,327). This rejection is respectfully traversed.

At the outset, it is not understood how claims 4 and 5 can be rejected based on a combination of Nakashima et al., Shirochi and Tedesco et al., because claims 4 and 5 depend from claim 3, and claim 3 was not rejected by this (or any) combination of references. Accordingly, Applicants submit that the rejection of claims 4 and 5 is improper on its face, and the rejection must be withdrawn.

Claim 2 has been canceled thereby rendering this portion of the rejection moot. The comments directed to claim 2 will now be considered in regard to claim 1 since this limitation has now been combined therewith.

Applicants submit that it would not be obvious to one skilled in the art to combine the three references to form the present claimed invention. As discussed in the previous Amendment, Applicants submit that the Examiner has not recited

any motivation as to why one of ordinary skill in the art would use the Tedesco et al. teachings of a uniform diffusion of light in the Nakashima et al. system. In response to these arguments, the Examiner agrees that obviousness can be established only where there is some teaching, suggestion or motivation to do so. However, the Examiner then fails to indicate what the motivation is. The Examiner states the limitations of Shirochi and its failure to show a hologram diffuser uniformly diffusing light in all directions. The Examiner then describes the teachings of Tedesco et al. and Nakashima et al. However, there is still no statement as to any motivation, teaching or suggestion. Applicants do not understand the Examiner's response since the Examiner first admits that the motivation is necessary and then states the teachings of the three references without any statement of the motivation. Applicants submit that this is tantamount to an admission that the three references have no motivation for combination. Accordingly, Applicants submit that none of the claims are obvious over any combination of these three references.

In regard to claim 1, Applicants submit that the references do not teach the formation of a hologram pattern by pressing an original hologram pattern into the resin layer. As discussed previously, the Nakashima et al. reference uses pressing only to hold the two films in position so that the laser light 20 can irradiate the original in order to copy the photograph. Thus, there is no pressing of the

hologram into the resin but rather the hologram is transferred using a photographic effect.

Furthermore, the limitations of claim 2 have now been added to claim 1 which recite that a color filter or thin film transistor is formed in an upper portion of the smoothing layer. Accordingly, in the present invention, the hologram resin layer is formed on the glass substrate and the smoothing layer is formed on the hologram resin layer in order to form a color filter layer on the hologram resin layer in easy fashion. This differs from the Nakashima et al. device which only teaches that the diffusion film such as a hologram film is sandwiched between two individual substrates. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 10-14, 17-19, 21 and 22 stand rejected under 35 U.S.C. § 103 as being obvious over Shirochi in view of Tedesco et al. and Nakashima et al. This rejection is respectfully traversed.

In the same matter as discussed above in regard to claim 1, Applicant submit that it would not be obvious to one skilled in the art to combine the three references to form the invention presented in claim 10. Again, Applicants submit that the Examiner has not recited any motivation as to why one of ordinary skill in the art would combine the three references. Since the Examiner has not provided any statement of motivation, Applicants submit that this is tantamount to an

admission that there is no motivation for the combination of the three references. Accordingly, Applicants submit that claim 10 is not obvious over the combination of these three references.

Further in regard to claim 10, this claim recites the liquid crystal display. Applicants submit that the references do not teach and would not render obvious the display of the hologram layer with uniformly diffused light in all orientations to obtain a wide visual angle. Further, Applicants submit that the references do not clearly show a smoothing layer as presently claimed since Shirochi does not show a smoothing layer but rather an adhesive transparent resin layer. Accordingly, Applicants submit that claim 10 is likewise allowable. Applicants also refer the Examiner to the comments in the previous Amendment. In view of the above, Applicants submit that independent claim 10 as well as dependent claims 11-19, 21 and 22 are allowable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 15 and 16 stand rejected under 35 U.S.C. § 103 as being obvious over Shirochi in view of Tedesco et al., Nakashima et al. and further in view of Abileah et al. (U.S. Patent 5,629,784). This rejection is respectfully traversed.

The Examiner cites Abileah et al. to show a twisted nematic liquid crystal display with the crystal disposed between two polarizers where the transmission axes are crossed perpendicular to each other. Applicants submit that even if this reference does teach these features, it does not aid the other three references in

overcoming their deficiencies as noted above. Furthermore, Applicants submit that it would be even less obvious to add the limitations of this reference to the other three references without further motivation to do so. Reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone, or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

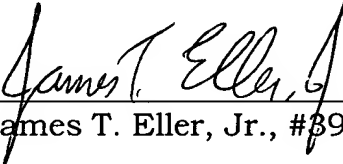
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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